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Docket No.: 03818/000M728-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Miljenko Dumic *et al.*

Application No.: 10/624,911

Confirmation No.: 7098

Filed: July 21, 2003

Art Unit: 1623

For: NOVEL AMORPHOUS 9-DEOXO-9A-AZA-
9A-METHYL-9A-HOMOERYTHROMYCIN
A, PROCESS FOR PREPARING THE SAME,
AND USES THEREOF

Examiner: Peselev, Elli

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of each document on the PTO/SB/08 is attached.

09/16/2004 FFANAIAP 00000052 10624911

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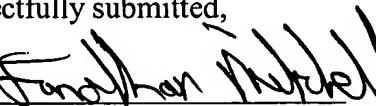
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: September 14, 2004

Respectfully submitted,

By 
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PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	10/624,911
Filing Date	July 21, 2003
First Named Inventor	Miljenko Dumic
Art Unit	1623
Examiner Name	Peselev, Elli
Attorney Docket Number	03818/000M728-US0

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
1		WO 02/087596 A2	11-07-2002	Pliva d.d		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	2	Ognjen Čulić et al., Anti-inflammatory effects of macrolide antibiotics, European Journal of Pharmacology 429:209-229 (2001)	
	3	Ognjen Čulić et al., Azithromycin modulates neutrophil function and circulating inflammatory mediators in healthy human subjects, European Journal of Pharmacology 450:277-289 (2002)	
	4	F. Scaglione and G. Rossoni, Comparative anti-inflammatory effects of roxithromycin, azithromycin and clarithromycin, Journal of Antimicrobial Chemotherapy 41, Suppl. B, 47-50 (1998)	
	5	M.T. Labro, Anti-inflammatory activity of macrolides: a new therapeutic potential? Journal of Antimicrobial Chemotherapy 41, Suppl. B, 37-46 (1998)	

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{W:\038 18\000}	Date Considered
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